



General Assembly

**Amendment**

February Session, 2004

LCO No. 4016

\*HB0516804016HDO\*

Offered by:

REP. AMANN, 118<sup>th</sup> Dist.

REP. O'ROURKE, 32<sup>nd</sup> Dist.

To: House Bill No. 5168

File No. 287

Cal. No. 205

**"AN ACT AUTHORIZING MUNICIPALITIES TO ESTABLISH  
PROGRAMS FOR THE PUBLIC FINANCING OF CAMPAIGNS FOR  
ELECTION TO MUNICIPAL OFFICES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2004*) As used in sections 1 to 4,  
4 inclusive, and 6 to 22, inclusive, of this act:

5 (1) "Commission" means the State Elections Enforcement  
6 Commission.

7 (2) "Convention" has the same meaning as provided in section 9-372  
8 of the general statutes, as amended.

9 (3) "Depository account" means the single checking account at the  
10 depository institution designated as the depository for the candidate  
11 committee's moneys in accordance with the provisions of subsection  
12 (a) of section 9-333f of the general statutes, as amended.

13 (4) "Fund" means the Citizens' Election Fund established in section 2  
14 of this act.

15 (5) "General election campaign" means (A) in the case of a candidate  
16 nominated at a primary, the period beginning on the day following the  
17 primary and ending on the date the campaign treasurer files the final  
18 statement for such campaign pursuant to section 9-333j of the general  
19 statutes, as amended by this act, or (B) in the case of a candidate  
20 nominated without a primary, the period beginning on the day  
21 following the day on which the candidate is nominated and ending on  
22 the date the campaign treasurer files the final statement for such  
23 campaign pursuant to section 9-333j of the general statutes, as  
24 amended by this act.

25 (6) "Major party" has the same meaning as provided in section 9-372  
26 of the general statutes, as amended.

27 (7) "Minor party" has the same meaning as provided in section 9-372  
28 of the general statutes, as amended.

29 (8) "Primary campaign" means the period beginning on the day  
30 following the close of a convention and ending on the day of a primary  
31 held for the purpose of nominating a candidate for an office.

32 (9) "Qualified candidate committee" means a candidate committee  
33 (A) established to aid or promote the success of any candidate for  
34 nomination or election to a state office and (B) approved by the  
35 commission to receive a grant from the Citizens' Election Fund under  
36 section 12 of this act.

37 (10) "Eligible petitioning party candidate" means a candidate for  
38 election to an office pursuant to part III C of chapter 153 of the general  
39 statutes whose nominating petition has been approved by the  
40 Secretary of the State pursuant to subsection (c) of section 9-453o of the  
41 general statutes.

42 (11) "State office" means the office of Governor, Lieutenant

43 Governor, Attorney General, State Comptroller, State Treasurer or  
44 Secretary of the State.

45       Sec. 2. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
46 *2010, and thereafter*) There is established, within the General Fund, a  
47 separate, nonlapsing account to be known as the "Citizens' Election  
48 Fund". The fund may contain any moneys required by law to be  
49 deposited in the fund. Investment earnings credited to the assets of the  
50 fund shall become part of the assets of the fund. The State Treasurer  
51 shall administer the fund. All moneys deposited in the fund shall be  
52 used for the purposes of sections 1 to 4, inclusive, and 6 to 22,  
53 inclusive, of this act. The State Elections Enforcement Commission may  
54 deduct and retain from the moneys in the fund an amount equal to the  
55 costs incurred by the commission in administering the provisions of  
56 said sections 1 to 4, inclusive, and 6 to 22, inclusive, provided said  
57 amount shall not exceed two per cent of the moneys deposited in the  
58 fund in any fiscal year. Any portion of said two per cent allocation  
59 which exceeds said costs incurred by the commission in any fiscal year  
60 shall continue to be available for any said costs incurred by the  
61 commission in subsequent fiscal years.

62       Sec. 3. (NEW) (*Effective July 1, 2004, and applicable to taxable years*  
63 *commencing on or after January 1, 2004*) (a) (1) Any taxpayer filing a  
64 return under chapter 229 of the general statutes for taxable years  
65 commencing on or after January 1, 2004, whose income tax liability for  
66 the taxable year, before applying any credit under section 12-704c of  
67 the general statutes, as amended, is five dollars or more, may  
68 designate that five dollars of such tax liability shall be paid over to the  
69 Citizens' Election Fund established in section 2 of this act, by so  
70 indicating on the tax return. In the case of a husband and wife filing a  
71 joint return with an income tax liability of ten dollars or more, each  
72 spouse may designate that five dollars of such tax liability shall be  
73 paid over to the fund by so indicating on the tax return. Any  
74 designation made pursuant to this subdivision shall not increase the  
75 taxpayer's income tax liability.

76 (2) Any taxpayer filing a return under chapter 229 of the general  
77 statutes for taxable years commencing on or after January 1, 2004, may  
78 contribute all or part of a refund under said chapter 229 to the Citizens'  
79 Election Fund established in section 2 of this act, by indicating on the  
80 tax return the amount to be contributed to the fund.

81 (3) Any taxpayer filing a return under chapter 229 of the general  
82 statutes may contribute an additional amount to the Citizens' Election  
83 Fund established in section 2 of this act, by indicating on the tax return  
84 the amount to be contributed to the fund. Any contribution made  
85 pursuant to this subdivision shall be in addition to the amount of tax  
86 reported to be due on such return and shall be paid at the same time as  
87 the tax due on such return is paid and in the manner prescribed by the  
88 Commissioner of Revenue Services.

89 (b) A contribution or designation made pursuant to this section shall  
90 be irrevocable upon the filing of the return. A taxpayer making a  
91 contribution or designation pursuant to this subsection shall so  
92 indicate on the tax return in a manner provided for by the  
93 Commissioner of Revenue Services pursuant to subsection (c) of this  
94 section.

95 (c) A contribution of all or part of a refund shall be made in the full  
96 amount indicated if the refund found due the taxpayer upon the initial  
97 processing of the return, and after any deductions required by chapter  
98 229 of the general statutes, is greater than or equal to the indicated  
99 contribution. If the refund due, as determined upon initial processing,  
100 and after any deductions required by said chapter 229, is less than the  
101 indicated contribution, the contribution shall be made in the full  
102 amount of the refund. The Commissioner of Revenue Services shall  
103 subtract the amount of any contribution of all or part of a refund from  
104 the amount of the refund initially found due the taxpayer and shall  
105 certify (1) the amount of the refund initially found due the taxpayer,  
106 (2) the amount of any such contribution, and (3) the amount of the  
107 difference to the Secretary of the Office of Policy and Management and  
108 the State Treasurer for payment to the taxpayer in accordance with

109 said chapter 229. For the purposes of any subsequent determination of  
110 the taxpayer's net tax payment, such contribution shall be considered a  
111 part of the refund paid to the taxpayer.

112 (d) The Commissioner of Revenue Services shall revise the income  
113 tax return form to implement the provisions of subsection (a) of this  
114 section. Such form shall include (1) a space on the return in which  
115 taxpayers may indicate their intention to make a contribution or  
116 designation in accordance with this section, and (2) instructions for  
117 payment of any contribution under subdivision (3) of subsection (a) of  
118 this section. The commissioner shall include in the instructions  
119 accompanying the tax return a description of the purposes for which  
120 the Citizens' Election Fund was established.

121 (e) The Commissioner of Revenue Services, after notification of and  
122 approval by the Secretary of the Office of Policy and Management,  
123 may deduct and retain from the moneys collected under subsections  
124 (a) to (d), inclusive, of this section an amount equal to the costs of  
125 administering this section, but not to exceed four per cent of such  
126 moneys collected in any fiscal year. The Commissioner of Revenue  
127 Services shall deposit the remaining moneys collected in the Citizens'  
128 Election Fund.

129 Sec. 4. (NEW) (*Effective July 1, 2004, and applicable to taxable years*  
130 *commencing on or after January 1, 2004*) (a) (1) Any taxpayer filing a  
131 return under chapter 208 of the general statutes for taxable years  
132 commencing on or after January 1, 2004, whose income tax liability for  
133 the taxable year, before applying any credits under chapter 208 of the  
134 general statutes, is five dollars or more, may designate that two  
135 hundred dollars of such tax liability or, if such tax liability is less than  
136 two hundred dollars, the full amount of such tax liability, shall be paid  
137 over to the Citizens' Election Fund established in section 2 of this act,  
138 by so indicating on the tax return. Any designation made pursuant to  
139 this subdivision shall not increase the taxpayer's income tax liability.

140 (2) Any taxpayer filing a return under chapter 208 of the general

141 statutes for taxable years commencing on or after January 1, 2004, may  
142 contribute all or part of a refund under said chapter 208 to the Citizens'  
143 Election Fund established in section 2 of this act, by indicating on the  
144 tax return the amount to be contributed to the fund.

145 (3) Any taxpayer filing a return under chapter 208 of the general  
146 statutes may contribute an additional amount to the Citizens' Election  
147 Fund established in section 2 of this act, by indicating on the tax return  
148 the amount to be contributed to the fund. Any contribution made  
149 pursuant to this subdivision shall be in addition to the amount of tax  
150 reported to be due on such return and shall be paid at the same time as  
151 the tax due on such return is paid and in the manner prescribed by the  
152 Commissioner of Revenue Services.

153 (b) A contribution or designation made pursuant to this section shall  
154 be irrevocable upon the filing of the return. A taxpayer making a  
155 contribution or designation pursuant to this subsection shall so  
156 indicate on the tax return in a manner provided for by the  
157 Commissioner of Revenue Services pursuant to subsection (c) of this  
158 section.

159 (c) A contribution of all or part of a refund shall be made in the full  
160 amount indicated if the refund found due the taxpayer upon the initial  
161 processing of the return, and after any deductions required by chapter  
162 208 of the general statutes, is greater than or equal to the indicated  
163 contribution. If the refund due, as determined upon initial processing  
164 and after any deductions required by said chapter 208, is less than the  
165 indicated contribution, the contribution shall be made in the full  
166 amount of the refund. The Commissioner of Revenue Services shall  
167 subtract the amount of any contribution of all or part of a refund from  
168 the amount of the refund initially found due the taxpayer and shall  
169 certify (1) the amount of the refund initially due the taxpayer, (2) the  
170 amount of any such contribution, and (3) the amount of the difference  
171 to the Secretary of the Office of Policy and Management and the State  
172 Treasurer for payment to the taxpayer in accordance with said chapter  
173 208. For the purposes of any subsequent determination of the

174 taxpayer's net tax payment, such contribution shall be considered a  
175 part of the refund paid to the taxpayer.

176 (d) The Commissioner of Revenue Services shall revise the income  
177 tax return form to implement the provisions of subsection (a) of this  
178 section. Such form shall include (1) a space on the return in which  
179 taxpayers may indicate their intention to make a contribution or  
180 designation in accordance with this section, and (2) instructions for  
181 payment of any contribution under subdivision (3) of subsection (a) of  
182 this section. The commissioner shall include in the instructions  
183 accompanying the tax return a description of the purposes for which  
184 the Citizens' Election Fund was established.

185 (e) The Commissioner of Revenue Services, after notification of and  
186 approval by the Secretary of the Office of Policy and Management,  
187 may deduct and retain from the moneys collected under subsections  
188 (a) to (d), inclusive, of this section an amount equal to the costs of  
189 administering this section, but not to exceed four per cent of such  
190 moneys collected in any fiscal year. The Commissioner of Revenue  
191 Services shall deposit the remaining moneys collected in the Citizens'  
192 Election Fund.

193 Sec. 5. Subsection (e) of section 9-333j of the general statutes, as  
194 amended by section 5 of public act 03-223 and section 62 of public act  
195 03-241, is repealed and the following is substituted in lieu thereof  
196 (*Effective July 1, 2004, and applicable to elections held in 2010, and*  
197 *thereafter*):

198 (e) (1) Notwithstanding any provisions of this chapter to the  
199 contrary, in the event of a surplus the campaign treasurer of a  
200 candidate committee or of a political committee, other than a political  
201 committee formed for ongoing political activities or an exploratory  
202 committee, shall distribute or expend such surplus [within] not later  
203 than ninety days after a primary which results in the defeat of the  
204 candidate, an election or referendum not held in November or by  
205 January thirty-first following an election or referendum held in

206 November, in the following manner:

207 (A) Such committees may distribute their surplus to a party  
208 committee, or a political committee organized for ongoing political  
209 activities, return such surplus to all contributors to the committee on a  
210 prorated basis of contribution, distribute all or any part of such surplus  
211 to the Citizens' Election Fund established in section 2 of this act or  
212 distribute such surplus to any charitable organization which is a tax-  
213 exempt organization under Section 501(c)(3) of the Internal Revenue  
214 Code of 1986, or any subsequent corresponding internal revenue code  
215 of the United States, as from time to time amended, provided (i) no  
216 candidate committee may distribute such surplus to a committee  
217 which has been established to finance future political campaigns of the  
218 candidate, and (ii) a candidate committee which received moneys from  
219 the Citizens' Election Fund shall distribute such surplus to such fund.

220 (B) Each such political committee established by an organization  
221 which received its funds from the organization's treasury shall return  
222 its surplus to its sponsoring organization;

223 (C) (i) Each political committee formed solely to aid or promote the  
224 success or defeat of any referendum question, which does not receive  
225 contributions from a business entity or an organization, shall distribute  
226 its surplus to a party committee, to a political committee organized for  
227 ongoing political activities, to a national committee of a political party,  
228 to all contributors to the committee on a prorated basis of contribution,  
229 to state or municipal governments or agencies or to any organization  
230 which is a tax-exempt organization under Section 501(c)(3) of the  
231 Internal Revenue Code of 1986, or any subsequent corresponding  
232 internal revenue code of the United States, as from time to time  
233 amended. [ (ii) each] (ii) Each political committee formed solely to aid  
234 or promote the success or defeat of any referendum question, which  
235 receives contributions from a business entity or an organization, shall  
236 distribute its surplus to all contributors to the committee on a prorated  
237 basis of contribution, to state or municipal governments or agencies, or  
238 to any organization which is tax-exempt under said provisions of the



239 Internal Revenue Code. Notwithstanding the provisions of this  
240 subsection, a committee formed for a single referendum shall not be  
241 required to expend its surplus within ninety days after the referendum  
242 and may continue in existence if a substantially similar referendum  
243 question on the same issue will be submitted to the electorate within  
244 six months after the first referendum. If two or more substantially  
245 similar referenda on the same issue are submitted to the electorate,  
246 each no more than six months apart, the committee shall expend such  
247 surplus within ninety days following the date of the last such  
248 referendum;

249 (D) The campaign treasurer of the candidate committee of a  
250 candidate who is elected to office may, upon the authorization of such  
251 candidate, expend surplus campaign funds to pay for the cost of  
252 clerical, secretarial or other office expenses necessarily incurred by  
253 such candidate in preparation for taking office; except such surplus  
254 shall not be distributed for the personal benefit of any individual or to  
255 any organization; and

256 (E) The campaign treasurer of a candidate committee, or of a  
257 political committee, other than a political committee formed for  
258 ongoing political activities or an exploratory committee, shall, prior to  
259 the dissolution of such committee, either (i) distribute any equipment  
260 purchased, including but not limited to computer equipment, to any  
261 recipient as set forth in subparagraph (A) of this subdivision, or (ii) sell  
262 any equipment purchased, including but not limited to computer  
263 equipment, to any person for fair market value and then distribute the  
264 proceeds of such sale to any recipient as set forth in said subparagraph  
265 (A).

266 (2) Notwithstanding any provisions of this chapter to the contrary,  
267 the campaign treasurer of the candidate committee of a candidate who  
268 has withdrawn from a primary or election may, prior to the primary or  
269 election, distribute its surplus to any organization which is tax-exempt  
270 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any  
271 subsequent corresponding internal revenue code of the United States,

272 as from time to time amended, or return such surplus to all  
273 contributors to the committee on a prorated basis of contribution.

274 (3) [Within] Not later than seven days after such distribution or  
275 [within] not later than seven days after all funds have been expended  
276 in accordance with subparagraph (D) of subdivision (1) of this  
277 subsection, the campaign treasurer shall file a supplemental statement,  
278 sworn under penalty of false statement, with the proper authority,  
279 identifying all further contributions received since the previous  
280 statement and explaining how any surplus has been distributed or  
281 expended in accordance with this section. No surplus may be  
282 distributed or expended until after the election, primary or  
283 referendum.

284 (4) In the event of a deficit the campaign treasurer shall file a  
285 supplemental statement ninety days after an election, primary or  
286 referendum not held in November or on the seventh calendar day in  
287 February, or the next business day if such day is a Saturday, Sunday or  
288 legal holiday, after an election or referendum held in November, with  
289 the proper authority and, thereafter, on the seventh day of each month  
290 following if on the last day of the previous month there was an  
291 increase or decrease in the deficit in excess of five hundred dollars  
292 from that reported on the last statement filed. The campaign treasurer  
293 shall file such supplemental statements as required until the deficit is  
294 eliminated. If any such committee does not have a surplus or a deficit,  
295 the statement required to be filed [within] not later than forty-five days  
296 following any election or referendum not held in November or on the  
297 seventh calendar day in January, or the next business day if such day is  
298 a Saturday, Sunday or legal holiday, following an election or  
299 referendum held in November, or [within] not later than thirty days  
300 following any primary shall be the last required statement.

301 Sec. 6. (NEW) (*Effective July 1, 2004*) All payments of civil penalties  
302 or late fees imposed by the State Elections Enforcement Commission or  
303 the Secretary of the State under title 9 of the general statutes, which are  
304 received after the effective date of this section, shall be immediately

305 transmitted to the State Treasurer for deposit in the Citizens' Election  
306 Fund established in section 2 of this act.

307 Sec. 7. (NEW) (*Effective July 1, 2004*) Any person, business entity,  
308 organization, party committee or political committee, as defined in  
309 section 9-333a of the general statutes, as amended, may contribute to  
310 the Citizens' Election Fund. Any such contribution shall be made by  
311 check or money order. The commission shall immediately transmit all  
312 contributions received pursuant to this section to the State Treasurer  
313 for deposit in the Citizens' Election Fund established in section 2 of  
314 this act.

315 Sec. 8. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
316 *2010, and thereafter*) (a) There is established a Citizens' Election  
317 Program under which (1) the candidate committee of a major party or  
318 minor party candidate for nomination to the office of Governor,  
319 Lieutenant Governor, Attorney General, State Comptroller, Secretary  
320 of the State or State Treasurer in 2010, or thereafter, may receive a  
321 grant from the Citizens' Election Fund for the candidate's primary  
322 campaign for said nomination, and (2) the candidate committee of a  
323 major party, minor party or eligible petitioning party candidate for  
324 election to the office of Governor, Attorney General, State Comptroller,  
325 Secretary of the State or State Treasurer in 2010, or thereafter, may  
326 receive a grant from the fund for the candidate's general election  
327 campaign for said office. Any such candidate committee is eligible to  
328 receive such grants for a primary campaign and a general election  
329 campaign if (A) the candidate certifies as a participating candidate  
330 under section 9 of this act, (B) the candidate's candidate committee  
331 receives the required amount of qualifying contributions under section  
332 10 of this act, (C) the candidate's candidate committee returns all  
333 contributions that do not meet the criteria for qualifying contributions  
334 under section 10 of this act, (D) the candidate's exploratory committee,  
335 if any, returns all contributions that do not meet the criteria for  
336 qualifying contributions to a candidate committee under section 10 of  
337 this act, (E) the candidate agrees to limit campaign expenditures (i)  
338 before a primary campaign and a general election campaign, to the

339 amount of qualifying contributions permitted in section 10 of this act,  
340 (ii) for a primary campaign, to the sum of the amount of qualifying  
341 contributions permitted in section 10 of this act that have not been  
342 spent before the primary campaign and the amount of the grant for the  
343 primary campaign authorized under section 11 of this act, and (iii) for  
344 a general election campaign, to the sum of the amount of qualifying  
345 contributions permitted in section 10 of this act that have not been  
346 spent before the general election campaign and the amount of the  
347 grant for the general election campaign authorized under section 11 of  
348 this act, and (F) the candidate complies with the provisions of section  
349 12 of this act.

350 Sec. 9. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
351 *2010, and thereafter*) (a) Each major party and minor party candidate for  
352 nomination or election to a state office in 2010, or thereafter, and each  
353 petitioning candidate for election to a state office in 2010, or thereafter,  
354 shall file an affidavit with the State Elections Enforcement  
355 Commission, at the same time that the candidate files either a  
356 committee statement under subsection (a) of section 9-333f of the  
357 general statutes, as amended, or a certification under subsection (b) of  
358 said section 9-333f. The affidavit shall include a written certification  
359 that the candidate either intends to abide by the expenditure limits  
360 under the Citizens' Election Program set forth in section 8 of this act, or  
361 does not intend to abide by said limits. If the candidate intends to  
362 abide by such expenditure limits, the candidate shall also certify in the  
363 affidavit the candidate's status as a major party, minor party or  
364 petitioning candidate and, in the case of a major party or minor party  
365 candidate, the name of such party. No candidate who changes such  
366 status or becomes a candidate of a different party during a campaign  
367 shall be eligible thereafter to receive a grant under the Citizens'  
368 Election Program.

369 (b) A candidate who certifies the candidate's intent to abide by the  
370 expenditure limits under the Citizens' Election Program set forth in  
371 section 8 of this act shall be referred to in sections 1 and 8 to 22,  
372 inclusive, of this act as a "participating candidate" and a candidate who

373 so certifies the candidate's intent to not abide by said limit shall be  
374 referred to in this section as a "nonparticipating candidate". The  
375 commission shall prepare a list of the participating candidates and a  
376 list of the nonparticipating candidates and shall make such lists  
377 available for public inspection.

378 Sec. 10. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
379 *2010, and thereafter*) (a) The amount of qualifying contributions that the  
380 candidate committee of a candidate needs to receive in order to be  
381 eligible for grants from the Citizens' Election Fund shall be:

382 (1) In the case of a candidate for nomination or election to the office  
383 of Governor, contributions from individuals in the aggregate amount  
384 of five hundred thousand dollars, of which four hundred fifty  
385 thousand dollars or more is contributed by individuals residing in the  
386 state, provided (A) no such contribution that exceeds five hundred  
387 dollars shall be considered in calculating such amounts, and (B) all  
388 contributions received by an exploratory committee that meets such  
389 criteria shall be considered in calculating such amounts; and

390 (2) In the case of a candidate for nomination or election to the office  
391 of Lieutenant Governor, Attorney General, State Comptroller, State  
392 Treasurer or Secretary of the State, contributions from individuals in  
393 the aggregate amount of seventy-five thousand dollars, of which sixty-  
394 seven thousand five hundred dollars or more is contributed by  
395 individuals residing in the state, provided (A) no such contribution  
396 that exceeds two hundred fifty dollars shall be considered in  
397 calculating such amounts, and (B) all contributions received by an  
398 exploratory committee that meets such criteria shall be considered in  
399 calculating such amounts.

400 (b) Each individual who makes a contribution to a candidate  
401 committee established to aid or promote the success of a participating  
402 candidate for nomination or election to a state office shall include the  
403 individual's name and address with the contribution. A contribution  
404 from an individual that does not include such information shall not be

405 deemed to be a qualifying contribution under subsection (a) of this  
406 section.

407 Sec. 11. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
408 *2010, and thereafter*) (a) (1) The qualified candidate committee of a  
409 major party or minor party candidate for the office of Governor who  
410 has a primary for nomination to said office in 2010, or thereafter, shall  
411 be eligible to receive a grant from the fund for the primary campaign  
412 in the amount of one million dollars, subject to adjustment under  
413 subsection (c) of this section.

414 (2) The qualified candidate committee of a major party or minor  
415 party candidate for the office of Governor who is nominated in 2010, or  
416 thereafter, shall be eligible to receive a grant from the fund for the  
417 general election campaign in the amount of four million dollars,  
418 subject to adjustment under subsection (c) of this section.

419 (3) The qualified candidate committee of an eligible petitioning  
420 party candidate for the office of Governor in 2010, or thereafter, shall  
421 be eligible to receive a grant from the fund for the general election  
422 campaign in the amount of four million dollars, subject to adjustment  
423 under subsection (c) of this section.

424 (b) (1) The qualified candidate committee of a major party or minor  
425 party candidate for the office of Lieutenant Governor, Attorney  
426 General, State Comptroller, Secretary of the State or State Treasurer  
427 who has a primary for nomination to said office in 2010, or thereafter,  
428 shall be eligible to receive a grant from the fund for the primary  
429 campaign in the amount of five hundred thousand dollars, subject to  
430 adjustment under subsection (c) of this section.

431 (2) The qualified candidate committee of a candidate for the office of  
432 Attorney General, State Comptroller, Secretary of the State or State  
433 Treasurer who is nominated in 2010, or thereafter, shall be eligible to  
434 receive a grant from the fund for the general election campaign in the  
435 amount of seven hundred fifty thousand dollars, subject to adjustment  
436 under subsection (c) of this section.

437 (3) The qualified candidate committee of an eligible petitioning  
438 party candidate for the office of Attorney General, State Comptroller,  
439 Secretary of the State or State Treasurer in 2010, or thereafter, shall be  
440 eligible to receive a grant from the fund for the general election  
441 campaign in the amount of seven hundred fifty thousand dollars,  
442 subject to adjustment under subsection (c) of this section.

443 (c) On January 15, 2010, and quadrennially thereafter, the  
444 commission shall adjust the amounts of the grants in subsections (a)  
445 and (b) of this section in accordance with any change during the  
446 preceding four calendar years in the Consumer Price Index for all  
447 urban consumers as published by the United States Department of  
448 Labor, Bureau of Labor Statistics.

449 (d) No grant under this section may be applied to a deficit incurred  
450 by a candidate committee.

451 Sec. 12. (NEW) *(Effective July 1, 2004, and applicable to elections held in*  
452 *2010, and thereafter)* (a) (1) A candidate for nomination to the office of  
453 Governor, Lieutenant Governor, Attorney General, State Comptroller,  
454 Secretary of the State or State Treasurer in 2010, or thereafter, may  
455 apply to the State Elections Enforcement Commission for a grant from  
456 the fund under the Citizens' Election Program for a primary campaign,  
457 after the close of the state convention of the candidate's party that is  
458 called for the purpose of choosing candidates for nomination for the  
459 office that the candidate is seeking, if a primary is required under  
460 chapter 153 of the general statutes, as amended, and (A) said party  
461 endorses the candidate for the office that the candidate is seeking, (B)  
462 the candidate receives at least fifteen per cent of the votes of the  
463 convention delegates present and voting on any roll-call vote taken on  
464 the endorsement or proposed endorsement of a candidate for the office  
465 the candidate is seeking, or (C) the candidate circulates a petition and  
466 obtains the required number of signatures for filing a candidacy for  
467 nomination for said office pursuant to section 9-400 of the general  
468 statute, as amended.

469 (2) A candidate for election to the office of Governor, Attorney  
470 General, State Comptroller, Secretary of the State or State Treasurer in  
471 2010, or thereafter, may apply to the State Elections Enforcement  
472 Commission for a grant from the fund under the Citizens' Election  
473 Program for a general election campaign, (A) after the close of the state  
474 convention of the candidate's party that is called for the purpose of  
475 choosing candidates for nomination for the office that the candidate is  
476 seeking, if (i) said party endorses said candidate for the office that the  
477 candidate is seeking and no other candidate of said party files a  
478 certificate of candidacy with the Secretary of the State in accordance  
479 with the provisions of section 9-400 of the general statutes, (ii) the  
480 candidate receives at least fifteen per cent of the votes of the  
481 convention delegates present and voting on any roll-call vote taken on  
482 the endorsement or proposed endorsement of a candidate for the office  
483 the candidate is seeking, no other candidate for said office at such  
484 convention either receives the party endorsement or said percentage of  
485 said votes for said endorsement or files a certificate of endorsement  
486 with the Secretary of the State in accordance with the provisions of  
487 section 9-388 of the general statutes or a certificate of candidacy with  
488 the Secretary of the State in accordance with the provisions of section  
489 9-400 of the general statutes, and no other candidate for said office  
490 circulates a petition and obtains the required number of signatures for  
491 filing a candidacy for nomination for said office pursuant to section 9-  
492 400 of the general statute, as amended, or (iii) the candidate circulates  
493 a petition and obtains the required number of signatures for filing a  
494 candidacy for nomination for said office pursuant to section 9-400 of  
495 the general statute, as amended, and no other candidate for said office  
496 at such convention either receives the party endorsement or said  
497 percentage of said votes for said endorsement or files a certificate of  
498 endorsement with the Secretary of the State in accordance with the  
499 provisions of section 9-388 of the general statutes or a certificate of  
500 candidacy with the Secretary of the State in accordance with the  
501 provisions of section 9-400 of the general statutes, (B) after any primary  
502 held by such party for nomination for said office, if the Secretary of the  
503 State declares that the candidate is the party nominee in accordance



504 with the provisions of section 9-440 of the general statutes, or (C) in the  
505 case of a petitioning party candidate, after approval by the Secretary of  
506 the State of such candidate's nominating petition pursuant to  
507 subsection (c) of section 9-453o of the general statutes.

508 (b) The application shall include a written certification that:

509 (1) The candidate committee has received the required amount of  
510 qualifying contributions;

511 (2) The candidate committee has repaid all moneys borrowed on  
512 behalf of the campaign, as required by subsection (b) of section 12 of  
513 this act;

514 (3) The candidate committee has returned any contribution from an  
515 individual who does not include the individual's name and address  
516 with the contribution;

517 (4) The candidate committee and exploratory committee have  
518 returned all contributions or portions of contributions that do not meet  
519 the criteria for qualifying contributions under section 10 of this act;

520 (5) The campaign treasurer of the candidate committee shall comply  
521 with the provisions of sections 1 and 8 to 22, inclusive, of this act;

522 (6) All moneys received from the fund shall be deposited upon  
523 receipt into the depository account of the candidate committee;

524 (7) The campaign treasurer of the candidate committee shall expend  
525 all moneys received from the fund in accordance with the provisions of  
526 subsection (g) of section 9-333i of the general statutes; and

527 (8) If the candidate withdraws from the campaign, becomes  
528 ineligible or dies during the campaign, the candidate committee of the  
529 candidate shall return to the commission, for deposit in the fund, all  
530 moneys received from the fund pursuant to sections 1 and 8 to 22,  
531 inclusive, of this act which said candidate committee has not spent as  
532 of the date of such occurrence.

533 (c) The application shall be accompanied by a cumulative itemized  
534 accounting of all funds received, expenditures made and expenses  
535 incurred but not yet paid by the candidate committee as of three days  
536 before the date that the application is signed. Such accounting shall be  
537 sworn to under penalty of false statement by the campaign treasurer of  
538 the candidate committee. The commission shall prescribe the form of  
539 the application and the cumulative itemized accounting, after  
540 consulting with the Secretary of the State. The form for such  
541 accounting shall conform to the requirements of section 9-333j of the  
542 general statutes, as amended by this act. Both the candidate and the  
543 campaign treasurer of the candidate committee shall sign the  
544 application.

545 (d) Not later than three business days following receipt of any such  
546 application, the commission shall review the application, determine  
547 whether the candidate committee for the applicant (1) has received the  
548 required qualifying contributions, and (2) in the case of an application  
549 for a grant from the fund for a primary campaign or a general election  
550 campaign, the applicant has met the applicable condition under  
551 subsection (a) of this section for applying for such moneys and, if so,  
552 determine the amount of the grant payable to the candidate committee  
553 from the fund and notify the State Comptroller and the candidate of  
554 such candidate committee, of such amount. Not later than two  
555 business days following notification by the commission, the State  
556 Comptroller shall draw an order on the State Treasurer for payment of  
557 such amount to the qualified candidate committee from the fund.

558 Sec. 13. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
559 *2010, and thereafter*) Following the initial deposit of moneys from the  
560 fund into the depository account of a qualified candidate committee,  
561 no contribution, loan, amount of the candidate's own moneys or any  
562 other moneys received by the candidate or the campaign treasurer on  
563 behalf of the committee shall be deposited into said depository  
564 account, except (1) grants from the fund, and (2) any additional  
565 moneys from the fund as provided in sections 16 and 17 of this act.

566       Sec. 14. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
567       *2010, and thereafter*) A qualified candidate committee which received  
568       moneys from the fund for a primary campaign and whose candidate is  
569       the party nominee shall receive moneys from the fund for a general  
570       election campaign. Upon receiving verification from the Secretary of  
571       the State of the declaration by the Secretary of the State in accordance  
572       with the provisions of section 9-440 of the general statutes, as  
573       amended, of the results of the votes cast at the primary, the  
574       commission shall notify the State Comptroller of the amount payable  
575       to such qualified candidate committee. Not later than two business  
576       days following notification by the commission, the State Comptroller  
577       shall draw an order on the State Treasurer for payment of the general  
578       election campaign grant to said committee from said fund.

579       Sec. 15. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
580       *2010, and thereafter*) (a) For purposes of this section, expenditures made  
581       to aid or promote the success of both a candidate for nomination or  
582       election to the office of Governor and a candidate for nomination or  
583       election to the office of Lieutenant Governor jointly, shall be  
584       considered expenditures made to aid or promote the success of a  
585       candidate for nomination or election to the office of Governor. The  
586       party-endorsed candidate for nomination or election to the office of  
587       Lieutenant Governor and the party-endorsed candidate for nomination  
588       or election to the office of Governor shall be deemed to be aiding or  
589       promoting the success of both candidates jointly upon the earliest of  
590       the following: (1) The primary, whether held for the office of Governor,  
591       the office of Lieutenant Governor, or both; (2) if no primary is held for  
592       the office of Governor or Lieutenant Governor, the convention; or (3) a  
593       declaration by the party-endorsed candidates that they shall campaign  
594       jointly. Any other candidate for nomination or election to the office of  
595       Lieutenant Governor shall be deemed to be aiding or promoting the  
596       success of such candidacy for the office of Lieutenant Governor and  
597       the success of a candidate for nomination or election to the office of  
598       Governor jointly upon a declaration by the candidates that they shall  
599       campaign jointly.

600 (b) The candidate committee formed to aid or promote the success  
601 of a candidate for nomination or election to the office of Lieutenant  
602 Governor, the candidate of which campaigns jointly with a candidate  
603 for nomination or election to the office of Governor, shall be dissolved  
604 as of the applicable date set forth in subsection (a) of this section. Not  
605 later than fifteen days after the applicable date set forth in subsection  
606 (a) of this section, the campaign treasurer of the candidate committee  
607 formed to aid or promote the success of said candidate for nomination  
608 or election to the office of Lieutenant Governor shall file a statement  
609 with the proper authority under section 9-333e of the general statutes,  
610 as amended by this act, identifying all contributions received or  
611 expenditures made by the committee since the previous statement and  
612 the balance on hand or deficit, as the case may be. Not later than thirty  
613 days after the applicable date set forth in subsection (a) of this section,  
614 (1) the campaign treasurer of a qualified candidate committee formed  
615 to aid or promote the success of said candidate for nomination or  
616 election to the office of Lieutenant Governor shall distribute any  
617 surplus to the fund, and (2) the campaign treasurer of a nonqualified  
618 candidate committee formed to aid or promote the success of said  
619 candidate for nomination or election to the office of Lieutenant  
620 Governor shall distribute such surplus in accordance with the  
621 provisions of subsection (e) of section 9-333j of the general statutes, as  
622 amended by this act.

623 Sec. 16. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
624 *2010, and thereafter*) (a) A qualified candidate committee may borrow  
625 moneys on behalf of a campaign for a primary or a general election  
626 from one or more financial institutions, as defined in section 36a-41 of  
627 the general statutes, in an aggregate amount not to exceed one  
628 thousand dollars. The amount borrowed shall not constitute a  
629 qualifying contribution. No individual, political committee or party  
630 committee, except the candidate or, in a general election, the state  
631 central committee of a political party, shall endorse or guarantee such  
632 a loan in an aggregate amount in excess of five hundred dollars. An  
633 endorsement or guarantee of such a loan shall constitute a contribution

634 by such individual or committee for so long as the loan is outstanding.  
635 The amount endorsed or guaranteed by such individual or committee  
636 shall cease to constitute a contribution upon repayment of the amount  
637 endorsed or guaranteed.

638 (b) All such loans shall be repaid in full prior to the date a candidate  
639 committee applies for the moneys from the fund pursuant to section 12  
640 of this act. The candidate shall certify to the commission that such  
641 loans were repaid. A candidate who fails to repay such loans or fails to  
642 certify such repayment to the commission shall not be eligible to  
643 receive and shall not receive moneys from the fund.

644 Sec. 17. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
645 *2010, and thereafter*) (a) A qualified candidate committee which receives  
646 a grant from the fund pursuant to section 12 of this act and makes  
647 expenditures in excess of an expenditure limit set forth in section 8 of  
648 this act (1) shall repay to the fund the full amount of such grant, (2)  
649 shall not receive any additional moneys from the fund for the  
650 remainder of the election cycle, (3) shall be subject to civil penalties  
651 under section 9-7b of the general statutes, as amended by this act, and  
652 (4) shall be deemed to be a nonparticipating candidate for the purposes  
653 of sections 1 and 8 to 22, inclusive, of this act.

654 (b) A candidate whose candidate committee fails to return any  
655 surplus grant funds to the fund within ninety days after a primary or  
656 an election, whichever is applicable shall be subject to the penalties for  
657 larceny under sections 53a-122 to 53a-125b, inclusive, of the general  
658 statutes depending on the amount involved.

659 Sec. 18. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
660 *2010, and thereafter*) (a) Additional moneys from the fund shall be paid  
661 to a qualified candidate committee which received moneys from the  
662 fund if the committee of an opposing candidate makes expenditures in  
663 excess of an expenditure limit set forth in section 8 of this act. Such  
664 additional moneys from the fund shall be paid to a qualified candidate  
665 committee which received moneys from the fund (1) regardless of

whether the candidate committee which makes expenditures in excess of the applicable expenditure limit has received moneys from the fund, (2) in an amount equal to the greatest amount of expenditures in excess of the applicable expenditure limit which the committee of an opposing candidate has made expenditures, but not more than one hundred per cent of the amount of moneys that the qualified candidate committee has received from the fund, and (3) immediately following the commission's verification that the committee of an opposing candidate has made expenditures in excess of the applicable expenditure limit.

(b) If a nonparticipating candidate makes or incurs the obligation to make an excess expenditure more than twenty days before the day of a primary or election, the candidate shall file a declaration of excess expenditures not later than forty-eight hours after making or incurring the expenditure. If a nonparticipating candidate makes or incurs the obligation to make an excess expenditure twenty days or less before the day of a primary or election, the candidate shall file a declaration of excess expenditures not later than twenty-four hours after making or incurring the expenditure. The commission may determine whether any expenditure by a nonparticipating candidate shall be deemed an excess expenditure.

Sec. 19. (NEW) (*Effective July 1, 2004, and applicable to elections held in 2010, and thereafter*) Upon the receipt of a report under subsection (e) of section 9-333n of the general statutes, as amended by this act, that an independent expenditure has been made or obligated to be made, with the intent to promote the defeat of a candidate whose candidate committee has received a grant under the Citizens' Election Program, the commission shall immediately notify the State Comptroller that additional money, equal to the amount of the independent expenditure, shall be paid to said candidate committee. Not later than two business days following notification by the commission, the State Comptroller shall draw an order on the State Treasurer for payment of such amount to said candidate committee from the fund. The provisions of this section shall be subject to the following:

700 (1) The maximum aggregate amount of funding that the qualified  
701 candidate committee of a participating candidate shall receive to  
702 match the independent expenditures made or obligated to be made on  
703 behalf of an opposing participating candidate shall not be greater than  
704 one hundred per cent of the total moneys that said candidate  
705 committee has received from the fund.

706 (2) The maximum aggregate amount of funding that the qualified  
707 candidate committee of a participating candidate shall receive to  
708 match the independent expenditures and the excess expenditures of a  
709 nonparticipating candidate shall not be greater than two hundred per  
710 cent of the total moneys that said candidate committee has received  
711 from the fund.

712 (3) Such additional funding shall be granted to the qualified  
713 candidate committee of a participating candidate opposed by a  
714 nonparticipating candidate only if the nonparticipating candidate's  
715 campaign expenditures, combined with the amount of the  
716 independent expenditures, exceed the applicable permitted  
717 expenditure amount for the participating candidate, during the general  
718 election campaign.

719 Sec. 20. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
720 *2010, and thereafter*) The campaign treasurer for each candidate for  
721 election to state office in 2010, or thereafter shall file campaign finance  
722 statements with the office of the Secretary of the State (1) according to  
723 the same schedules as required of a campaign treasurer of a candidate  
724 committee under section 9-333j of the general statutes, as amended by  
725 this act, until receiving contributions, receipts and grants totaling  
726 seventy-five per cent of the applicable expenditure limit for a general  
727 election campaign, as set forth in section 8 of this act, and (2) then,  
728 notwithstanding said schedule in section 9-333j of the general statutes,  
729 as amended by this act, on the second Thursday of each month  
730 between the beginning of the fourth month preceding the day of the  
731 election for said office and the beginning of the sixth week preceding  
732 the election and then on each Thursday until the day of the election.

733 Said statements shall be prepared in the same manner as statements  
734 required under section 9-333j of the general statutes, as amended by  
735 this act. If a campaign treasurer fails to file any statement required by  
736 this section (A) within the time required, or (B) with both the Secretary  
737 of the State and the commission, such campaign treasurer shall be  
738 subject to a civil penalty imposed by the commission, of not more than  
739 one thousand dollars for each such failure under subparagraph (A) or  
740 (B) of subdivisions (1) and (2) of this section.

741 Sec. 21. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
742 *2010, and thereafter*) The Secretary of the State shall provide to each  
743 committee whose candidate has filed an affidavit under subsection (a)  
744 of section 9 of this act certifying that the candidate intends to abide by  
745 the applicable expenditure limits under the Citizens' Election Program,  
746 a copy of the voter registration list for state, which is generated from  
747 the state-wide centralized voter registration system established  
748 pursuant to the plan authorized under section 1 of special act 91-45  
749 and completed pursuant to public act 03-117. The Secretary shall  
750 provide the copy in electronic format, free of charge.

751 Sec. 22. (NEW) (*Effective July 1, 2004, and applicable to elections held in*  
752 *2010, and thereafter*) (a) Not later than June 1, 2005, and annually  
753 thereafter, the State Elections Enforcement Commission shall issue a  
754 report on the status of the Citizens' Election Fund during the previous  
755 calendar year. Such report shall include the amount of moneys  
756 deposited in the fund, the sources of moneys received by category, the  
757 number of contributions, the number of contributors, the amount of  
758 moneys expended by category, the recipients of moneys distributed  
759 from the fund and an accounting of the costs incurred by the  
760 commission in administering the provisions of sections 1 to 4,  
761 inclusive, and 6 to 22, inclusive, of this act. Not later than May 15, 2005,  
762 and annually thereafter, the Commissioner of Revenue Services shall  
763 submit to the commission the information in the possession of the  
764 commissioner which the commission needs to complete such report.

765 (b) Not later than January first in any year in which an election for



766 state offices is to be held, the commission shall determine whether the  
767 amount of moneys in the fund is sufficient to carry out the purposes of  
768 sections 1 to 4, inclusive, and 6 to 22, inclusive, of this act. If the  
769 commission determines that such amount is not sufficient to carry out  
770 such purposes, the commission shall, not later than three days after  
771 such later determination, (1) determine the percentage of the fund's  
772 obligations that can be met for such election, (2) recalculate the amount  
773 of each payment that a qualified candidate committee is entitled to  
774 receive under section 12 of this act by multiplying such percentage by  
775 the amount that the committee would have been entitled to receive  
776 under section 12 of this act if there were a sufficient amount of moneys  
777 in the fund, and (3) notify each applicant for moneys from the fund of  
778 such insufficiency, percentage and applicable recalculation. After a  
779 qualified candidate committee first receives any such recalculated  
780 payment, the committee may resume accepting contributions and  
781 making expenditures from such contributions, provided no qualified  
782 candidate committee which receives such recalculated payments from  
783 the fund shall accept contributions in excess of the amount of moneys  
784 which the committee was entitled to receive from the fund but did not  
785 receive from the fund. The commission shall also issue a report on said  
786 determination.

787 (c) The commission shall establish a reserve account in the fund. The  
788 first twenty-five thousand dollars deposited in the fund during any  
789 year shall be placed in said account. The commission shall use moneys  
790 in the reserve account only during the seven days preceding an  
791 election for payments to candidates (1) whose payments were reduced  
792 under subsection (b) of this section, or (2) who are entitled to funding  
793 to match, during said seven-day period, independent expenditures  
794 pursuant to section 19 of this act.

795 Sec. 23. Section 9-333a of the general statutes, as amended by section  
796 10 of public act 03-241, is repealed and the following is substituted in  
797 lieu thereof (*Effective January 1, 2007, and applicable to elections held in*  
798 *2010, and thereafter*):

799 As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,  
800 inclusive, of this act:

801 (1) "Committee" means a party committee, political committee or a  
802 candidate committee organized, as the case may be, for a single  
803 primary, election or referendum, or for ongoing political activities, to  
804 aid or promote the success or defeat of any political party, any one or  
805 more candidates for public office or the position of town committee  
806 member or any referendum question.

807 (2) "Party committee" means a state central committee or a town  
808 committee. "Party committee" does not mean a party-affiliated or  
809 district, ward or borough committee which receives all of its funds  
810 from the state central committee of its party or from a single town  
811 committee with the same party affiliation. Any such committee so  
812 funded shall be construed to be a part of its state central or town  
813 committee for purposes of this chapter and sections 1 to 4, inclusive,  
814 and 6 to 22, inclusive, of this act.

815 (3) "Political committee" means (A) a committee organized by a  
816 business entity or organization, (B) persons other than individuals, or  
817 two or more individuals organized or acting jointly conducting their  
818 activities in or outside the state, (C) a committee established by a  
819 candidate to determine the particular public office to which [he] such  
820 candidate shall seek nomination or election, and referred to in this  
821 chapter as an exploratory committee, or (D) a committee established by  
822 or on behalf of a slate of candidates in a primary for the office of justice  
823 of the peace, but does not mean a candidate committee or a party  
824 committee.

825 (4) "Candidate committee" means any committee designated by a  
826 single candidate, or established with the consent, authorization or  
827 cooperation of a candidate, for the purpose of a single primary or  
828 election and to aid or promote [his] such candidate's candidacy alone  
829 for a particular public office or the position of town committee  
830 member, but does not mean a political committee or a party

831 committee.

832 (5) "National committee" means the organization which according to  
833 the bylaws of a political party is responsible for the day-to-day  
834 operation of the party at the national level.

835 (6) "Organization" means all labor organizations, (A) as defined in  
836 the Labor-Management Reporting and Disclosure Act of 1959, as from  
837 time to time amended, or (B) as defined in subdivision (9) of section  
838 31-101, employee organizations as defined in subsection (d) of section  
839 5-270 and subdivision (6) of section 7-467, bargaining representative  
840 organizations for teachers, any local, state or national organization, to  
841 which a labor organization pays membership or per capita fees, based  
842 upon its affiliation or membership, and trade or professional  
843 associations which receive their funds exclusively from membership  
844 dues, whether organized in or outside of this state, but does not mean  
845 a candidate committee, party committee or a political committee.

846 (7) "Business entity" means the following, whether organized in or  
847 outside of this state: Stock corporations, banks, insurance companies,  
848 business associations, bankers associations, insurance associations,  
849 trade or professional associations which receive funds from  
850 membership dues and other sources, partnerships, joint ventures,  
851 private foundations, as defined in Section 509 of the Internal Revenue  
852 Code of 1986, or any subsequent corresponding internal revenue code  
853 of the United States, as from time to time amended; trusts or estates;  
854 corporations organized under sections 38a-175 to 38a-192, inclusive,  
855 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, and  
856 chapters 594 to 597, inclusive; cooperatives, and any other association,  
857 organization or entity which is engaged in the operation of a business  
858 or profit-making activity; but does not include professional service  
859 corporations organized under chapter 594a and owned by a single  
860 individual, nonstock corporations which are not engaged in business  
861 or profit-making activity, organizations, as defined in subdivision (6)  
862 of this section, candidate committees, party committees and political  
863 committees as defined in this section. For purposes of this chapter,

864 corporations which are component members of a controlled group of  
865 corporations, as those terms are defined in Section 1563 of the Internal  
866 Revenue Code of 1986, or any subsequent corresponding internal  
867 revenue code of the United States, as from time to time amended, shall  
868 be deemed to be one corporation.

869 (8) "Individual" means a human being, a sole proprietorship, or a  
870 professional service corporation organized under chapter 594a and  
871 owned by a single human being.

872 (9) "Person" means an individual, committee, firm, partnership,  
873 organization, association, syndicate, company trust, corporation,  
874 limited liability company or any other legal entity of any kind but does  
875 not mean the state or any political or administrative subdivision of the  
876 state.

877 (10) "Candidate" means an individual who seeks nomination for  
878 election or election to public office whether or not such individual is  
879 elected, and for the purposes of this chapter and sections 1 to 4,  
880 inclusive, and 6 to 22, inclusive, of this act an individual shall be  
881 deemed to seek nomination for election or election if [he] such  
882 individual has (A) been endorsed by a party or become eligible for a  
883 position on the ballot at an election or primary, or (B) solicited or  
884 received contributions, made expenditures or given [his] such  
885 individual's consent to any other person to solicit or receive  
886 contributions or make expenditures with the intent to bring about [his]  
887 such individual's nomination for election or election to any such office.  
888 "Candidate" also means a slate of candidates which is to appear on the  
889 ballot in a primary for the office of justice of the peace. For the  
890 purposes of sections 9-333 to 9-333l, inclusive, as amended by this act,  
891 and section 9-333w, "candidate" also means an individual who is a  
892 candidate in a primary for town committee members.

893 (11) "Campaign treasurer" means the individual appointed by a  
894 candidate or by the [chairman] chairperson of a party committee or a  
895 political committee to receive and disburse funds on behalf of the

896 candidate or committee.

897 (12) "Deputy campaign treasurer" means the individual appointed  
898 by the candidate or by the [chairman] chairperson of a committee to  
899 serve in the capacity of the campaign treasurer if the campaign  
900 treasurer is unable to perform [his] the campaign treasurer's duties.

901 (13) "Solicitor" means an individual appointed by a campaign  
902 treasurer of a committee to receive, but not to disburse, funds on  
903 behalf of the committee.

904 (14) "Referendum question" means a question to be voted upon at  
905 any election or referendum, including a proposed constitutional  
906 amendment.

907 (15) "Lobbyist" means a lobbyist as defined in subsection (l) of  
908 section 1-91.

909 (16) "Business with which he is associated" means any business in  
910 which the contributor is a director, officer, owner, limited or general  
911 partner or holder of stock constituting five per cent or more of the total  
912 outstanding stock of any class. Officer refers only to the president,  
913 executive or senior vice-president or treasurer of such business.

914 (17) "Independent expenditure" means an expenditure that is made  
915 without the consent, knowing participation, or consultation of, a  
916 candidate or agent of the candidate committee. "Independent  
917 expenditure" does not include an expenditure (A) if there is any  
918 coordination or direction with respect to the expenditure between the  
919 candidate or the treasurer, deputy treasurer or [chairman] chairperson  
920 of [his] such candidate committee and the person making the  
921 expenditure, or (B) if, during the same election cycle, the individual  
922 making the expenditure serves or has served as the treasurer, deputy  
923 treasurer or [chairman] chairperson of the candidate committee.

924 (18) "Federal account" means a depository account that is subject to  
925 the disclosure and contribution limits provided under the Federal

926 Election Campaign Act of 1971, as amended from time to time.

927 (19) "Public funds" means funds belonging to, or under the control  
928 of, the state or a political subdivision of the state.

929 Sec. 24. Section 9-333b of the general statutes is repealed and the  
930 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
931 *applicable to elections held in 2010, and thereafter*):

932 (a) As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,  
933 inclusive, of this act, "contribution" means:

934 (1) Any gift, subscription, loan, advance, payment or deposit of  
935 money or anything of value, made for the purpose of influencing the  
936 nomination for election, or election, of any person or for the purpose of  
937 aiding or promoting the success or defeat of any referendum question  
938 or on behalf of any political party;

939 (2) A written contract, promise or agreement to make a contribution  
940 for any such purpose;

941 (3) The payment by any person, other than a candidate or campaign  
942 treasurer, of compensation for the personal services of any other  
943 person which are rendered without charge to a committee or candidate  
944 for any such purpose;

945 (4) An expenditure when made by a person with the cooperation of,  
946 or in consultation with, any candidate, candidate committee or  
947 candidate's agent or which is made in concert with, or at the request or  
948 suggestion of, any candidate, candidate committee or candidate's  
949 agent; or

950 (5) Funds received by a committee which are transferred from  
951 another committee or other source for any such purpose.

952 (b) As used in this chapter and sections 1 to 4, inclusive, and 6 to 22,  
953 inclusive, of this act, "contribution" does not mean:

- 954 (1) A loan of money made in the ordinary course of business by a  
955 national or state bank;
- 956 (2) Any communication made by a corporation, organization or  
957 association to its members, owners, stockholders, executive or  
958 administrative personnel, or their families;
- 959 (3) Nonpartisan voter registration and get-out-the-vote campaigns  
960 by any corporation, organization or association aimed at its members,  
961 owners, stockholders, executive or administrative personnel, or their  
962 families;
- 963 (4) Uncompensated services provided by individuals volunteering  
964 their time;
- 965 (5) The use of real or personal property, and the cost of invitations,  
966 food or beverages, voluntarily provided by an individual to a  
967 candidate or on behalf of a state central or town committee, in  
968 rendering voluntary personal services for candidate or party-related  
969 activities at the individual's residence, to the extent that the cumulative  
970 value of the invitations, food or beverages provided by the individual  
971 on behalf of any single candidate does not exceed two hundred dollars  
972 with respect to any single election, and on behalf of all state central  
973 and town committees does not exceed four hundred dollars in any  
974 calendar year;
- 975 (6) The sale of food or beverage for use in a candidate's campaign or  
976 for use by a state central or town committee at a discount, if the charge  
977 is not less than the cost to the vendor, to the extent that the cumulative  
978 value of the discount given to or on behalf of any single candidate does  
979 not exceed two hundred dollars with respect to any single election,  
980 and on behalf of all state central and town committees does not exceed  
981 four hundred dollars in a calendar year;
- 982 (7) Any unreimbursed payment for travel expenses made by an  
983 individual who on the individual's own behalf volunteers the  
984 individual's personal services to any single candidate to the extent the

985 cumulative value does not exceed two hundred dollars with respect to  
986 any single election, and on behalf of all state central or town  
987 committees does not exceed four hundred dollars in a calendar year;

988 (8) The payment, by a party committee, political committee or an  
989 individual, of the costs of preparation, display, mailing or other  
990 distribution incurred by the committee or individual with respect to  
991 any printed slate card, sample ballot or other printed list containing  
992 the names of three or more candidates;

993 (9) The donation of any item of personal property by an individual  
994 to a committee for a fund-raising affair, including a tag sale or auction,  
995 or the purchase by an individual of any such item at such an affair, to  
996 the extent that the cumulative value donated or purchased does not  
997 exceed fifty dollars;

998 (10) The purchase of advertising space which clearly identifies the  
999 purchaser, in a program for a fund-raising affair, provided the  
1000 cumulative purchase of such space does not exceed two hundred fifty  
1001 dollars from any single candidate or the candidate's committee with  
1002 respect to any single election campaign or two hundred fifty dollars  
1003 from any single party committee or other political committee in any  
1004 calendar year if the purchaser is a business entity or fifty dollars for  
1005 purchases by any other person;

1006 (11) The payment of money by a candidate to the candidate's  
1007 candidate committee;

1008 (12) The donation of goods or services by a business entity to a  
1009 committee for a fund-raising affair, including a tag sale or auction, to  
1010 the extent that the cumulative value donated does not exceed one  
1011 hundred dollars;

1012 (13) The advance of a security deposit by an individual to a  
1013 telephone company, as defined in section 16-1, for telecommunications  
1014 service for a committee, provided the security deposit is refunded to  
1015 the individual;



1016 (14) The provision of facilities, equipment, technical and managerial  
1017 support, and broadcast time by a community antenna television  
1018 company, as defined in section 16-1, for community access  
1019 programming pursuant to section 16-331a, unless (A) the major  
1020 purpose of providing such facilities, equipment, support and time is to  
1021 influence the nomination or election of a candidate, or (B) such  
1022 facilities, equipment, support and time are provided on behalf of a  
1023 political party; or

1024 (15) The sale of food or beverage by a town committee to an  
1025 individual at a town fair, county fair or similar mass gathering held  
1026 within the state, to the extent that the cumulative payment made by  
1027 any one individual for such items does not exceed fifty dollars.

1028 Sec. 25. Subsection (a) of section 9-333e of the general statutes, as  
1029 amended by section 11 of public act 03-241, is repealed and the  
1030 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
1031 *applicable to elections held in 2010, and thereafter*):

1032 (a) Statements filed by party committees, political committees  
1033 formed to aid or promote the success or defeat of a referendum  
1034 question proposing a constitutional convention, constitutional  
1035 amendment or revision of the Constitution, individual lobbyists, and  
1036 those political committees and candidate committees formed to aid or  
1037 promote the success or defeat of any candidate for the office of  
1038 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1039 Comptroller, Attorney General, judge of probate and members of the  
1040 General Assembly, shall be filed with the office of the Secretary of the  
1041 State. On and after January 1, 2010, a copy of each statement filed by a  
1042 candidate committee formed to aid or promote the success of any  
1043 candidate for the office of Governor, Lieutenant Governor, Secretary of  
1044 the State, State Treasurer, State Comptroller or Attorney General, shall  
1045 be filed at the same time with the commission. A copy of each  
1046 statement filed by a town committee shall be filed at the same time  
1047 with the town clerk of the municipality in which the committee is  
1048 situated. A political committee formed for a slate of candidates in a

1049 primary for the office of justice of the peace shall file statements with  
1050 both the Secretary of the State and the town clerk of the municipality in  
1051 which the primary is to be held.

1052 Sec. 26. Subsection (a) of section 9-333m of the general statutes, as  
1053 amended by section 13 of public act 03-241, is repealed and the  
1054 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
1055 *applicable to elections held in 2010, and thereafter*):

1056 (a) No individual shall make a contribution or contributions to, for  
1057 the benefit of, or pursuant to the authorization or request of, a  
1058 candidate or a committee supporting or opposing any candidate's  
1059 campaign for nomination at a primary, or any candidate's campaign  
1060 for election, to the office of (1) Governor, in excess of two thousand  
1061 five hundred dollars for a primary or an election held in 2006, and in  
1062 excess of one thousand dollars for a primary and an election held in  
1063 2010, or thereafter; (2) Lieutenant Governor, Secretary of the State,  
1064 State Treasurer, State Comptroller or Attorney General, in excess of  
1065 one thousand five hundred dollars for a primary or an election held in  
1066 2006, and in excess of seven hundred fifty dollars for a primary and an  
1067 election held in 2010, or thereafter; (3) chief executive officer of a town,  
1068 city or borough, in excess of one thousand dollars; (4) state senator or  
1069 probate judge, in excess of five hundred dollars; or (5) state  
1070 representative or any other office of a municipality not [previously]  
1071 specifically included in this subsection, in excess of two hundred fifty  
1072 dollars. [The] Except for contributions to, or for the benefit of, a  
1073 candidate's campaign for election in 2010, or thereafter to the office of  
1074 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1075 State Comptroller, or Attorney General, the limits imposed by this  
1076 subsection shall be applied separately to primaries and elections.

1077 Sec. 27. Subsection (e) of section 9-333n of the general statutes is  
1078 repealed and the following is substituted in lieu thereof (*Effective*  
1079 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1080 (e) (1) Any individual acting alone may, independent of any

1081 candidate, agent of the candidate, or committee, make unlimited  
1082 expenditures to promote the success or defeat of any candidate's  
1083 campaign for election, or nomination at a primary, to any office or  
1084 position. [, provided] Except as provided in subdivision (2) of this  
1085 subsection, any individual who makes an independent expenditure or  
1086 expenditures in excess of one thousand dollars to promote the success  
1087 or defeat of any candidate's campaign for election, or nomination at a  
1088 primary, to any such office or position shall file statements according  
1089 to the same schedule and in the same manner as is required of a  
1090 campaign treasurer of a candidate committee under section 9-333j, as  
1091 amended by this act.

1092 (2) Any person who, on or after January 1, 2010, makes or obligates  
1093 to make an independent expenditure, as defined in section 9-333a, as  
1094 amended by this act, intended to promote the success or defeat of a  
1095 candidate for state office, as defined in section 1 of this act, which  
1096 exceeds one thousand dollars, in the aggregate, during a primary  
1097 campaign or a general election campaign, as defined in section 1 of this  
1098 act, shall file a report of such independent expenditure to the State  
1099 Elections Enforcement Commission. The report shall be in the same  
1100 form as statements filed under section 9-333j, as amended by this act. If  
1101 the person makes or obligates to make such independent expenditure  
1102 more than twenty days before the day of a primary or election, the  
1103 person shall file such report not later than forty-eight hours after such  
1104 payment or obligation. If the person makes or obligates to make such  
1105 independent expenditure twenty days or less before the day of a  
1106 primary or election, the person shall file such report not later than  
1107 twenty-four hours after such payment or obligation. The report shall  
1108 be filed under penalty of false statement.

1109 (3) The independent expenditure report in subdivision (2) of this  
1110 subsection shall include a statement (A) identifying the candidate for  
1111 whom the independent expenditure is intended to promote the success  
1112 or defeat, (B) affirming that the expenditure is totally independent and  
1113 involves no cooperation or coordination with or direction from a  
1114 candidate or a political party, and (C) affirming that the individual

1115 making the expenditure has not served or does not serve as treasurer,  
1116 deputy treasurer or chairperson of the candidate committee during the  
1117 same election cycle.

1118 (4) Any person may file a complaint with the commission upon the  
1119 belief that (A) any such independent expenditure report or statement  
1120 is false, or (B) any person who is required to file an independent  
1121 expenditure report under subdivision (2) of this subsection has failed  
1122 to do so. The commission shall make a prompt determination on such  
1123 a complaint.

1124 Sec. 28. Subsection (d) of section 9-333o of the general statutes is  
1125 repealed and the following is substituted in lieu thereof (*Effective*  
1126 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1127 (d) A political committee organized by a business entity shall not  
1128 make a contribution or contributions to or for the benefit of any  
1129 candidate's campaign for nomination at a primary or any candidate's  
1130 campaign for election to the office of: (1) Governor, in excess of five  
1131 thousand dollars for a primary or an election held in 2006, and in  
1132 excess of three thousand five hundred dollars for a primary and an  
1133 election held in 2010, or thereafter; (2) Lieutenant Governor, Secretary  
1134 of the State, State Treasurer, State Comptroller or Attorney General, in  
1135 excess of three thousand dollars for a primary or an election held in  
1136 2006, and in excess of two thousand dollars for a primary and an  
1137 election held in 2010, or thereafter; (3) state senator, probate judge or  
1138 chief executive officer of a town, city or borough, in excess of one  
1139 thousand dollars; (4) state representative, in excess of five hundred  
1140 dollars; or (5) any other office of a municipality not included in  
1141 subdivision (3) of this subsection, in excess of two hundred fifty  
1142 dollars; or an exploratory committee, in excess of two hundred fifty  
1143 dollars. [The] Except for contributions to, or for the benefit of, a  
1144 candidate's campaign for election in 2010, or thereafter to the office of  
1145 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1146 State Comptroller, or Attorney General, the limits imposed by this  
1147 subsection shall apply separately to primaries and elections and

1148 contributions by any such committee to candidates designated in this  
1149 subsection shall not exceed one hundred thousand dollars in the  
1150 aggregate for any single election and primary preliminary thereto.  
1151 Contributions to such committees shall also be subject to the  
1152 provisions of section 9-333t, as amended by this act, in the case of  
1153 committees formed for ongoing political activity or section 9-333u, as  
1154 amended by this act, in the case of committees formed for a single  
1155 election or primary.

1156 Sec. 29. Section 9-333q of the general statutes is repealed and the  
1157 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
1158 *applicable to elections held in 2010, and thereafter*):

1159 (a) No political committee established by an organization shall  
1160 make a contribution or contributions to, or for the benefit of, any  
1161 candidate's campaign for nomination at a primary or for election to the  
1162 office of: (1) Governor, in excess of two thousand five hundred dollars;  
1163 (2) Lieutenant Governor, Secretary of the State, State Treasurer, State  
1164 Comptroller or Attorney General, in excess of one thousand five  
1165 hundred dollars; (3) chief executive officer of a town, city or borough,  
1166 in excess of one thousand dollars; (4) state senator or probate judge, in  
1167 excess of five hundred dollars; or (5) state representative or any other  
1168 office of a municipality not [previously] specifically included in this  
1169 subsection, in excess of two hundred fifty dollars.

1170 (b) No such committee shall make a contribution or contributions to,  
1171 or for the benefit of, an exploratory committee, in excess of two  
1172 hundred fifty dollars. Any such committee may make unlimited  
1173 contributions to a political committee formed solely to aid or promote  
1174 the success or defeat of a referendum question.

1175 (c) [The] Except for contributions to, or for the benefit of, a  
1176 candidate's campaign for election in 2010, or thereafter to the office of  
1177 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1178 State Comptroller, or Attorney General, the limits imposed by  
1179 subsection (a) of this section shall apply separately to primaries and

1180 elections and no such committee shall make contributions to the  
1181 candidates designated in this section which in the aggregate exceed  
1182 fifty thousand dollars for any single election and primary preliminary  
1183 thereto.

1184 (d) No political committee established by an organization shall  
1185 make contributions in any one calendar year to, or for the benefit of, (1)  
1186 the state central committee of a political party, in excess of five  
1187 thousand dollars; (2) a town committee, in excess of one thousand  
1188 dollars; or (3) any political committee, other than an exploratory  
1189 committee or a committee formed solely to aid or promote the success  
1190 or defeat of a referendum question, in excess of two thousand dollars.

1191 (e) No political committee established by an organization shall make  
1192 contributions to the committees designated in subsection (d) of this  
1193 section, which in the aggregate exceed fifteen thousand dollars in any  
1194 one calendar year. Contributions to a political committee established  
1195 by an organization shall also be subject to the provisions of section 9-  
1196 333t, as amended by this act, in the case of a committee formed for  
1197 ongoing political activity or section 9-333u, as amended by this act, in  
1198 the case of a committee formed for a single election or primary.

1199 Sec. 30. Subsection (b) of section 9-333y of the general statutes is  
1200 repealed and the following is substituted in lieu thereof (*Effective*  
1201 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1202 (b) If any campaign treasurer or lobbyist fails to file the statements  
1203 required by section 9-333j, as amended by this act, or subsection (g) of  
1204 section 9-333l, as the case may be, within the time required, [he] the  
1205 campaign treasurer of lobbyist shall pay a late filing fee of fifty-five  
1206 dollars. In the case of a statement that is required to be filed with the  
1207 Secretary of the State, the secretary shall, within ten days after the  
1208 filing deadline, notify by certified mail, return receipt requested, the  
1209 person required to file that, if such statement is not filed within  
1210 twenty-one days after the deadline, the person is in violation of said  
1211 section or subsection. If the person does not file such statement within

1212 twenty-one days after the deadline, the secretary shall notify the State  
1213 Elections Enforcement Commission within twenty-eight days after the  
1214 deadline. In the case of a copy of a statement that is required to be filed  
1215 with the State Elections Enforcement Commission, the commission  
1216 shall, not later than ten days after the filing deadline, notify by  
1217 certified mail, return receipt requested, the person required to file that  
1218 if such statement is not filed within twenty-one days after the deadline  
1219 the person is in violation of section 9-333j, as amended by this act. In  
1220 the case of a statement that is required to be filed with a town clerk, the  
1221 town clerk shall forthwith after the filing deadline notify by certified  
1222 mail, return receipt requested, the person required to file that, if such  
1223 statement is not filed within seven days after receiving such notice, the  
1224 town clerk shall notify the State Elections Enforcement Commission  
1225 that the person is in violation of said section or subsection. The penalty  
1226 for any violation of said section or subsection shall be a fine of not  
1227 more than one thousand dollars or imprisonment for not more than  
1228 one year or both.

1229 Sec. 31. Section 9-7b of the general statutes, as amended by section 2  
1230 of public act 03-223 and sections 53 and 65 of public act 03-241, is  
1231 repealed and the following is substituted in lieu thereof (*Effective*  
1232 *January 1, 2007, and applicable to elections held in 2010, and thereafter*):

1233 (a) The State Elections Enforcement Commission shall have the  
1234 following duties and powers:

1235 (1) To make investigations on its own initiative or with respect to  
1236 statements filed with the commission by the Secretary of the State or  
1237 any town clerk, or upon written complaint under oath by any  
1238 individual, with respect to alleged violations of any provision of the  
1239 general statutes or sections 1 to 4, inclusive, and 6 to 22, inclusive, of  
1240 this act, relating to any election or referendum, any primary held  
1241 pursuant to section 9-423, 9-425 or 9-464 or any primary held pursuant  
1242 to a special act, and to hold hearings when the commission deems  
1243 necessary to investigate violations of any provisions of the general  
1244 statutes or sections 1 to 4, inclusive, and 6 to 22, inclusive, of this act,

relating to any such election, primary or referendum, and for the purpose of such hearings the commission may administer oaths, examine witnesses and receive oral and documentary evidence, and shall have the power to subpoena witnesses under procedural rules the commission shall adopt, to compel their attendance and to require the production for examination of any books and papers which the commission deems relevant to any matter under investigation or in question. In connection with its investigation of any alleged violation of any provision of chapter 145, or of any provision of section 9-359 or section 9-359a, the commission shall also have the power to subpoena any municipal clerk and to require the production for examination of any absentee ballot, inner and outer envelope from which any such ballot has been removed, depository envelope containing any such ballot or inner or outer envelope as provided in sections 9-150a and 9-150b and any other record, form or document as provided in section 9-150b, in connection with the election, primary or referendum to which the investigation relates. In case of a refusal to comply with any subpoena issued pursuant to this subsection or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof. In any matter under investigation which concerns the operation or inspection of or outcome recorded on any voting machine, the commission may issue an order to the municipal clerk to impound such machine until the investigation is completed;

(2) To levy a civil penalty not to exceed (A) two thousand dollars per offense against any person the commission finds to be in violation of any provision of chapter 145, part V of chapter 146, part I of chapter 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-



1279 436a, 9-453e to 9-453h, inclusive, 9-453k, 9-453o, [or] sections 1 to 3,  
1280 inclusive, of [this act] public act 03-241, or sections 1 to 4, inclusive,  
1281 and 6 to 22, inclusive, of this act, or (B) two thousand dollars per  
1282 offense or twice the amount of any improper payment or contribution,  
1283 whichever is greater, against any person the commission finds to be in  
1284 violation of any provision of chapter 150. The commission may levy a  
1285 civil penalty against any person under subparagraph (A) or (B) of this  
1286 subdivision only after giving the person an opportunity to be heard at  
1287 a hearing conducted in accordance with sections 4-176e to 4-184,  
1288 inclusive. In the case of failure to pay any such penalty levied pursuant  
1289 to this subsection [within] not later than thirty days of written notice  
1290 sent by certified or registered mail to such person, the superior court  
1291 for the judicial district of Hartford, on application of the commission,  
1292 may issue an order requiring such person to pay the penalty imposed  
1293 and such court costs, state marshal's fees and attorney's fees incurred  
1294 by the commission as the court may determine. Any civil penalties  
1295 paid, collected or recovered under subparagraph (B) of this  
1296 subdivision for a violation of any provision of chapter 150 applying to  
1297 the office of the Treasurer shall be deposited on a pro rata basis in any  
1298 trust funds, as defined in section 3-13c, affected by such violation;

1299 (3) (A) To issue an order requiring any person the commission finds  
1300 to have received any contribution or payment which is prohibited by  
1301 any of the provisions of chapter 150, after an opportunity to be heard  
1302 at a hearing conducted in accordance with the provisions of sections 4-  
1303 176e to 4-184, inclusive, to return such contribution or payment to the  
1304 donor or payor, or to remit such contribution or payment to the state  
1305 for deposit in the General Fund, whichever is deemed necessary to  
1306 effectuate the purposes of chapter 150;

1307 (B) To issue an order when the commission finds that an intentional  
1308 violation of any provision of chapter 150 has been committed, after an  
1309 opportunity to be heard at a hearing conducted in accordance with  
1310 sections 4-176e to 4-184, inclusive, which order may contain one or  
1311 more of the following sanctions: (i) Removal of a campaign treasurer,  
1312 deputy campaign treasurer or solicitor; (ii) prohibition on serving as a

1313 campaign treasurer, deputy campaign treasurer or solicitor, for a  
1314 period not to exceed four years; and (iii) in the case of a party  
1315 committee or a political committee, suspension of all political  
1316 activities, including, but not limited to, the receipt of contributions and  
1317 the making of expenditures, provided the commission may not order  
1318 such a suspension unless the commission has previously ordered the  
1319 removal of the campaign treasurer and notifies the officers of the  
1320 committee that the commission is considering such suspension;

1321 (C) To issue an order revoking any person's eligibility to be  
1322 appointed or serve as an election, primary or referendum official or  
1323 unofficial checker or in any capacity at the polls on the day of an  
1324 election, primary or referendum, when the commission finds such  
1325 person has intentionally violated any provision of the general statutes  
1326 relating to the conduct of an election, primary or referendum, after an  
1327 opportunity to be heard at a hearing conducted in accordance with  
1328 sections 4-176e to 4-184, inclusive;

1329 (4) To issue an order to a candidate committee which receives  
1330 moneys from the Citizens' Election Fund pursuant to sections 1 to 4,  
1331 inclusive, and 6 to 22, inclusive, of this act, to comply with the  
1332 provisions of said sections after an opportunity to be heard at a  
1333 hearing conducted in accordance with the provisions of sections 4-176e  
1334 to 4-184, inclusive;

1335 ~~[(4)]~~ (5) To inspect or audit at any reasonable time and upon  
1336 reasonable notice the accounts or records of any campaign treasurer or  
1337 principal campaign treasurer, as required by chapter 150 and sections 1  
1338 to 4, inclusive, and 6 to 22, inclusive, of this act, and to audit any such  
1339 election, primary or referendum held within the state; provided, (A) (i)  
1340 not later than two months preceding the day of an election at which a  
1341 candidate is seeking election, the commission shall complete any audit  
1342 it has initiated in the absence of a complaint that involves a committee  
1343 of the same candidate from a previous election, and (ii) during the  
1344 two-month period preceding the day of an election at which a  
1345 candidate is seeking election, the commission shall not initiate an audit

1346 in the absence of a complaint that involves a committee of the same  
1347 candidate from a previous election, and (B) the commission shall not  
1348 audit any caucus, as defined in subdivision (1) of section 9-372;

1349 [(5)] (6) To attempt to secure voluntary compliance, by informal  
1350 methods of conference, conciliation and persuasion, with any  
1351 provision of chapters 149 to 153, inclusive, or any other provision of  
1352 the general statutes relating to any such election, primary or  
1353 referendum;

1354 [(6)] (7) To consult with the Secretary of the State, the Chief State's  
1355 Attorney or the Attorney General on any matter which the commission  
1356 deems appropriate;

1357 [(7)] (8) To refer to the Chief State's Attorney evidence bearing upon  
1358 violation of any provision of chapters 149 to 153, inclusive, or any  
1359 other provision of the general statutes or sections 1 to 4, inclusive, and  
1360 6 to 22, inclusive, of this act, pertaining to or relating to any such  
1361 election, primary or referendum;

1362 [(8)] (9) To refer to the Attorney General evidence for injunctive  
1363 relief and any other ancillary equitable relief in the circumstances of  
1364 subdivision [(7)] (8) of this [section] subsection. Nothing in this  
1365 subdivision shall preclude a person who claims that [he] such person is  
1366 aggrieved by a violation of any provision of chapter 152 or any other  
1367 provision of the general statutes relating to referenda from pursuing  
1368 injunctive and any other ancillary equitable relief directly from the  
1369 Superior Court by the filing of a complaint;

1370 [(9)] (10) To refer to the Attorney General evidence pertaining to any  
1371 ruling which the commission finds to be in error made by election  
1372 officials in connection with any election, primary or referendum. Those  
1373 remedies and procedures available to parties claiming to be aggrieved  
1374 under the provisions of sections 9-323, 9-324, as amended by this act, 9-  
1375 328 and 9-329a shall apply to any complaint brought by the Attorney  
1376 General as a result of the provisions of this subdivision;

1377        [(10)] (11) To consult with the United States Department of Justice  
1378 and the United States Attorney for Connecticut on any investigation  
1379 pertaining to a violation of this section, section 9-12, subsection (a) of  
1380 section 9-17 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a,  
1381 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-  
1382 35c, 9-40a, 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department  
1383 and attorney evidence bearing upon any such violation for prosecution  
1384 under the provisions of the National Voter Registration Act of 1993,  
1385 P.L. 103-31, as amended from time to time;

1386        [(11)] (12) To inspect reports filed with the Secretary of the State and  
1387 with town clerks pursuant to chapter 150 and refer to the Chief State's  
1388 Attorney evidence bearing upon any violation of law therein if such  
1389 violation was committed knowingly and wilfully;

1390        [(12)] (13) To intervene in any action brought pursuant to the  
1391 provisions of sections 9-323, 9-324, as amended by this act, 9-328 and 9-  
1392 329a upon application to the court in which such action is brought  
1393 when in the opinion of the court it is necessary to preserve evidence of  
1394 possible criminal violation of the election laws;

1395        [(13)] (14) To adopt and publish regulations pursuant to chapter 54  
1396 to carry out the provisions of section 9-7a, this section, sections 1 to 4,  
1397 inclusive, and 6 to 22, inclusive, of this act, and chapter 150; to issue  
1398 upon request and publish advisory opinions in the Connecticut Law  
1399 Journal upon the requirements of chapter 150 and sections 1 to 4,  
1400 inclusive, and 6 to 22, inclusive, of this act, and to make  
1401 recommendations to the General Assembly concerning suggested  
1402 revisions of the election laws;

1403        [(14)] (15) To the extent that the Elections Enforcement Commission  
1404 is involved in the investigation of alleged or suspected criminal  
1405 violations of any provision of the general statutes or sections 1 to 4,  
1406 inclusive, and 6 to 22, inclusive, of this act, pertaining to or relating to  
1407 any such election, primary or referendum and is engaged in such  
1408 investigation for the purpose of presenting evidence to the Chief

1409 State's Attorney, the Elections Enforcement Commission shall be  
1410 deemed a law enforcement agency for purposes of subdivision (3) of  
1411 subsection (b) of section 1-210, provided nothing in this section shall be  
1412 construed to exempt the Elections Enforcement Commission in any  
1413 other respect from the requirements of the Freedom of Information  
1414 Act, as defined in section 1-200;

1415 [(15)] (16) To enter into such contractual agreements as may be  
1416 necessary for the discharge of its duties, within the limits of its  
1417 appropriated funds and in accordance with established procedures;  
1418 and

1419 [(16)] (17) To provide the Secretary of the State with notice and  
1420 copies of all decisions rendered by the commission in contested cases,  
1421 advisory opinions and declaratory judgments, at the time such  
1422 decisions, judgments and opinions are made or issued.

1423 (b) In the case of a refusal to comply with an order of the  
1424 commission issued pursuant to subdivision (3) of subsection (a) of this  
1425 section, the superior court for the judicial district of Hartford, on  
1426 application of the commission, may issue a further order to comply.  
1427 Failure to obey such further order may be punished by the court as a  
1428 contempt thereof.

1429 Sec. 32. Section 9-324 of the general statutes is repealed and the  
1430 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
1431 *applicable to elections held in 2010, and thereafter*):

1432 Any elector or candidate who claims that [he] such elector or  
1433 candidate is aggrieved by any ruling of any election official in  
1434 connection with any election for Governor, Lieutenant Governor,  
1435 Secretary of the State, State Treasurer, Attorney General, State  
1436 Comptroller or judge of probate, held in [his] such elector's or  
1437 candidate's town, or that there has been a mistake in the count of the  
1438 votes cast at such election for candidates for said offices or any of  
1439 them, at any voting district in [his] such elector's or candidate's town,  
1440 or any candidate for such an office who claims that [he] such candidate

1441 is aggrieved by a violation of any provision of [sections] section 9-355,  
1442 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of  
1443 absentee ballots at such election or any candidate for the office of  
1444 Governor, Lieutenant Governor, Secretary of the State, State Treasurer,  
1445 Attorney General or State Comptroller, who claims that such candidate  
1446 is aggrieved by a violation of any provision of sections 1 to 4, inclusive,  
1447 and 6 to 22, inclusive, of this act, may bring [his] such elector's or  
1448 candidate's complaint to any judge of the Superior Court, in which [he]  
1449 such elector or candidate shall set out the claimed errors of such  
1450 election official, the claimed errors in the count or the claimed  
1451 violations of said sections. In any action brought pursuant to the  
1452 provisions of this section, the complainant shall send a copy of the  
1453 complaint by first-class mail, or deliver a copy of the complaint by  
1454 hand, to the State Elections Enforcement Commission. If such  
1455 complaint is made prior to such election, such judge shall proceed  
1456 expeditiously to render judgment on the complaint and shall cause  
1457 notice of the hearing to be given to the Secretary of the State and the  
1458 State Elections Enforcement Commission. If such complaint is made  
1459 subsequent to the election, it shall be brought [within] not later than  
1460 fourteen days of the election and such judge shall forthwith order a  
1461 hearing to be had upon such complaint, upon a day not more than five  
1462 nor less than three days from the making of such order, and shall cause  
1463 notice of not less than three nor more than five days to be given to any  
1464 candidate or candidates whose election may be affected by the decision  
1465 upon such hearing, to such election official, the Secretary of the State,  
1466 the State Elections Enforcement Commission and to any other party or  
1467 parties whom such judge deems proper parties thereto, of the time and  
1468 place for the hearing upon such complaint. Such judge shall, on the  
1469 day fixed for such hearing and without unnecessary delay, proceed to  
1470 hear the parties. If sufficient reason is shown, [he] such judge may  
1471 order any voting machines to be unlocked or any ballot boxes to be  
1472 opened and a recount of the votes cast, including absentee ballots, to  
1473 be made. Such judge shall thereupon, in case [he] such judge finds any  
1474 error in the rulings of the election official, any mistake in the count of  
1475 the votes or any violation of said sections, certify the result of [his]

1476 such judge's finding or decision to the Secretary of the State before the  
1477 fifteenth day of the next succeeding December. Such judge may order a  
1478 new election or a change in the existing election schedule. Such  
1479 certificate of such judge of [his] such judge's finding or decision shall  
1480 be final and conclusive upon all questions relating to errors in the  
1481 rulings of such election officials, to the correctness of such count, and,  
1482 for the purposes of this section only, such claimed violations, and shall  
1483 operate to correct the returns of the moderators or presiding officers,  
1484 so as to conform to such finding or decision, unless the same is  
1485 appealed from as provided in section 9-325.

1486 Sec. 33. Subsections (b) and (c) of section 9-348ee of the general  
1487 statutes, are repealed and the following is substituted in lieu thereof  
1488 (*Effective January 1, 2007, and applicable to elections held in 2010, and*  
1489 *thereafter*):

1490 (b) On and after January 1, [1999] 2007, the campaign treasurer of  
1491 the candidate committee for each candidate for nomination or election  
1492 to the office of Governor, Lieutenant Governor, Attorney General,  
1493 State Comptroller, State Treasurer or Secretary of the State who raises  
1494 or spends [two hundred fifty] one hundred thousand dollars or more  
1495 during an election campaign shall file in electronic form all financial  
1496 disclosure statements required by [said] section 9-333j, as amended by  
1497 this act, by either transmitting disks, tapes or other electronic storage  
1498 media containing the contents of such statements to the office of the  
1499 Secretary of the State or transmitting the statements on-line to said  
1500 office. Each such campaign treasurer shall use either (1) a software  
1501 program created by the Secretary of the State under subdivision (1) of  
1502 subsection (a) of this section, for all such statements filed on or after  
1503 January 1, [1999] 2007, or (2) another software program which  
1504 provides for the standard reporting format, and complies with the  
1505 specifications, which are prescribed by the secretary under subdivision  
1506 (2) of subsection (a) of this section, for all such statements filed on or  
1507 after [July 1, 1999] January 1, 2007. The office of the Secretary of the  
1508 State shall accept any statement that uses any such software program.  
1509 Once any such candidate committee has raised or spent [two hundred

1510 fifty thousand dollars or more] said amount during an election  
1511 campaign, all previously filed statements required by said section 9-  
1512 333j, as amended by this act, which were not filed in electronic form  
1513 shall be refiled in such form, using such a software program, not later  
1514 than the date on which the campaign treasurer of the committee is  
1515 required to file the next regular statement under said section 9-333j, as  
1516 amended by this act.

1517 (c) On and after January 1, [1999] 2007, (1) the campaign treasurer of  
1518 the candidate committee for any other candidate, as defined in section  
1519 9-333a, as amended, who is required to file the financial disclosure  
1520 statements required by section 9-333j, as amended by this act, with the  
1521 office of the Secretary of the State and (2) the campaign treasurer of  
1522 any political committee or party committee, may file in electronic form  
1523 any financial disclosure statements required by said section 9-333j, as  
1524 amended by this act. Such filings may be made by either transmitting  
1525 disks, tapes or other electronic storage media containing the contents  
1526 of such statements to the proper authority under section 9-333e, as  
1527 amended, or transmitting the statements on-line to such proper  
1528 authority. Each such campaign treasurer shall use either (A) a software  
1529 program created by the Secretary of the State under subdivision (1) of  
1530 subsection (a) of this section, for all such statements filed in electronic  
1531 form on or after January 1, [1999] 2007, or (B) another software  
1532 program which provides for the standard reporting format, and  
1533 complies with the specifications, which are prescribed by the secretary  
1534 under subdivision (2) of subsection (a) of this section, for all such  
1535 statements filed in electronic form on or after [July 1, 1999] January 1,  
1536 2007. The proper authority under section 9-333e, as amended, shall  
1537 accept any statement that uses any such software program.

1538 Sec. 34. Section 9-348gg of the general statutes is repealed and the  
1539 following is substituted in lieu thereof (*Effective January 1, 2007, and*  
1540 *applicable to elections held in 2010, and thereafter*):

1541 On and after January 1, [2000] 2007, the Secretary of the State shall  
1542 make all computerized data from statements required by section 9-



1543 333j, as amended by this act, available to the public, not later than two  
 1544 business days after the statements are filed, through (1) computer  
 1545 terminals in the Office of the Secretary of the State and, if feasible, at  
 1546 remote access locations and (2) the Internet or any other generally  
 1547 available on-line computer network."

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 3	<i>July 1, 2004, and applicable to taxable years commencing on or after January 1, 2004</i>
Sec. 4	<i>July 1, 2004, and applicable to taxable years commencing on or after January 1, 2004</i>
Sec. 5	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 6	<i>July 1, 2004</i>
Sec. 7	<i>July 1, 2004</i>
Sec. 8	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 9	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 10	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 11	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 12	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 13	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 14	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 15	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 16	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 17	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 18	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>

Sec. 19	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 20	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 21	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 22	<i>July 1, 2004, and applicable to elections held in 2010, and thereafter</i>
Sec. 23	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 24	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 25	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 26	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 27	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 28	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 29	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 30	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 31	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 32	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 33	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>
Sec. 34	<i>January 1, 2007, and applicable to elections held in 2010, and thereafter</i>